

1 BEFORE THE BOARD OF NATUROPATHIC EXAMINERS

2 STATE OF OREGON

3 In the Matter of the License of )  
4 ALBERT W. AGUIRRE, N.D. )  
5 \_\_\_\_\_ )

FINAL ORDER  
REVOKING LICENSE

6 The Oregon Board of Naturopathic Examiners moved to revoke  
7 the license of Albert W. Aguirre, a licensed naturopath in the  
8 State of Oregon on April 11, 1990, for the reasons stated in the  
9 Notice of Proposed Revocation of License to Practice Naturopathy.  
10 That Notice was served on Aguirre by certified mail and by regular  
11 mail at the last business address given by Aguirre to the Oregon  
12 Board of Naturopathic Examiners, pursuant to Oregon law.

13 Aguirre has not responded to the Notice of Proposed License  
14 Revocation within the time allowed by law. Therefore, the Board  
15 now orders the permanent revocation of Albert W. Aguirre's license  
16 to practice naturopathy within the State of Oregon by default for  
17 the reasons alleged in the Notice and contained within the  
18 licensing file of Albert W. Aguirre at the offices of the Oregon  
19 Board of Naturopathic Examiners.

20 IT IS SO ORDERED this 27 day of September, 1990.

21  
22 OREGON BOARD OF NATUROPATHIC EXAMINERS  
23 By: [Signature] Signature on file  
24 Dr. Don C. Walker, Chairman

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26 PJS:ros/8908G

## BEFORE THE OREGON

## BOARD OF NATUROPATHIC EXAMINERS

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2  
3 In the Matter of the License of ) NOTICE OF PROPOSED  
4 ALBERT W. AGUIRRE, N.D. ) REVOCATION OF LICENSE TO  
5 \_\_\_\_\_ ) PRACTICE NATUROPATHY

6 The Oregon Board of Naturopathic Examiners (Board) proposes  
7 to revoke the license to practice naturopathy of Albert W. Aguirre  
8 who has committed the following acts and practices:

8 1. On October 4, 1989, he advertised in the Curry Coastal  
9 Pilot that he was an "M.D." in violation of OAR 850-10-190(7) and  
10 (10) and ORS 685.110(23).

10 2. On January 10, 1990 and on March 28, 1990, in the Curry  
11 Coastal Pilot, he advertised and represented that he was a "Body  
12 Chemistry Specialist" and that his credentials were "PH. N.D." in  
13 violation of OAR 850-10-190(7) and (10) and ORS 685.110(23).

12 3. On January 16, 1990, he advertised on a "reader board"  
13 at Price 'n Pride Grocery store in Harbor, Oregon, that he is a  
14 "pharmacist" and "microbiologist" in violation of OAR 850-10-190(7)  
15 and (10) and ORS 685.110(23).

15 4. During July - August, 1989, he advertised in brochures  
16 which he distributed to consumers that his credentials were  
17 "N.M.D." in violation of OAR 850-10-190(7) and (10) and ORS  
18 7685.110(23).

18 5. In the July 1989/1990 issue of the GTE Southern Oregon  
19 phone directory (Yellow Pages), he advertised that he was a  
20 "Physician-Pharmacist-Microbiologist (Degrees with Honor)" and  
21 that his credentials were "Ph, N.D." in violation of OAR  
22 850-10-190(7) and (10) and ORS 685.110(23).

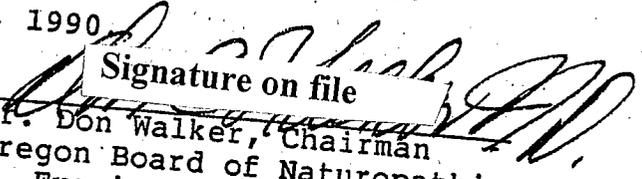
22 6. In early December, 1989, he inhaled nitrous oxide at his  
23 office during his office hours for approximately two hours in  
24 violation of ORS 685.110(9).

24 Albert W. Aguirre is entitled to a hearing as provide by the  
25 Administrative Procedures Act (chapter 183, Oregon Revised  
26 Statutes). He may be represented by counsel at the hearing. If  
he desires a hearing, he must notify the Oregon Board of  
Naturopathic Examiners in writing that he requests a hearing  
within 21 days of the date of the mailing of this Notice to Albert  
W. Aguirre. If a request for a hearing is not received within  
this 21-day period, Albert W. Aguirre's right to a hearing shall

1 be considered waived unless excused for mistake, inadvertence,  
2 surprise or excusable neglect. Upon receipt of the request for a  
3 hearing from Albert W. Aguirre, the Oregon Board of Naturopathic  
4 Examiners will notify him of the time and place of the hearing.

5 If Albert W. Aguirre requests a hearing, he will be given  
6 information on the procedures, rights of representation and other  
7 rights of parties relating to the conduct of hearing as required  
8 under ORS 183.412(2) before commencement of the hearing. If  
9 Albert W. Aguirre requests a hearing, he shall include with the  
10 request an answer which comports to the requirements of OAR  
11 850-01-015, admitting or denying each factual matter alleged in  
12 this notice and a short and plain statement of each relevant  
13 affirmative defense he may have. If Albert W. Aguirre fails to  
14 request a hearing within 21 days, or fails to file an answer, or  
15 fails to appear at a scheduled hearing, the Oregon Board of  
16 Naturopathic Examiners may issue a final order by default revoking  
17 the license to practice naturopathy of Albert W. Aguirre.

18 Dated this 11 day of April, 1990.

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20 Signature on file  
21 Dr. Don Walker, Chairman  
22 Oregon Board of Naturopathic  
23 Examiners

24 PJS:ros/5354G